

BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: April 16, 2003
Bulk Item: Yes No X

Division: Growth Management
Department: N/A

AGENDA ITEM WORDING:

Approval of a resolution amending Resolution #187-2002 in order to revise the Implementation Plan for the Monroe County Flood Insurance Inspection and Compliance Program.

ITEM BACKGROUND:

On March 19, 2003, the BOCC tentatively approved a proposal for complying with FEMA's minimum requirements for enforcing the County's floodplain regulations. The proposal was favorably received by FEMA staff at a March 18, 2003, meeting in Atlanta with the Commission's FEMA Liaison and other County representatives.

This proposal will require revisions to the County's FEMA approved Implementation Plan for its Flood Insurance Inspection and Compliance Program. The attached resolution includes a revised implementation plan (Exhibit 1) that incorporates the elements of the proposal.

Once the revised implementation plan is adopted by the BOCC and approved by FEMA, the Growth Management Division staff will begin drafting new amendments to the County's floodplain regulations. As this process will substantively revise the floodplain regulations, the staff is recommending that these text amendments to be taken back through the Planning Commission for recommendation to the BOCC.

PREVIOUS RELEVANT BOARD ACTION:

Adopted Resolution #187-2002 on April 17, 2002, approving Implementation Plan for the Monroe County Flood Insurance and Inspection Program.

CONTRACT/AGREEMENT CHANGES:

N/A

STAFF RECOMMENDATION:

Approval

TOTAL COST: N/A

BUDGETED: Yes No N/A

COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes N/A No AMOUNT PER MONTH N/A YEAR

APPROVED BY: County Attorney X OMB/Purchasing N/A Risk Management N/A

DIVISION DIRECTOR APPROVAL:

Timothy J. McGarry, AICP

DOCUMENTATION: Included X

To follow ☐ Not Required ☒

DISPOSITION:

AGENDA ITEM #: 123

County of Monroe


Growth Management Division
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Board of County Commissioners
Mayor Dixie Spehar, District 1
Mayor Pro Tem Murray Nelson, District 5
Comm. Charles "Sonny" McCoy, District 3
Comm. George Neugent, District 2
Comm. David Rice, District 4

MEMORANDUM

TO: Board of County Commissioners

FROM: Timothy J. McGarry, AICP
Director of Growth Management 

DATE: April 7, 2003

SUBJECT: **Revised Implementation Plan for the Monroe County
Flood Insurance Inspection and Compliance Program**

Overview

The BOCC is requested to officially adopt revisions to the Implementation Plan for the Monroe County Flood Insurance Inspection and Compliance by approving a resolution which amends Resolution #187-2002. These revisions are based on the proposal tentatively approved by FEMA and presented to the BOCC at its March 19, 2003, meeting.

The amending resolution includes the revised implementation plan (Exhibit 1). To aid in reviewing the proposed revised plan, a strike-out/underline version showing changes made to the existing implementation plan approved by FEMA is also included in this agenda package.

Summary of Major Changes

The following is a summary of the major revisions made to the existing implementation plan that are reflected in the revised implementation plan:

- o Elimination of the requirement for restrictive covenants that would have allowed the County to inspect downstairs enclosures to ensure compliance;
- o Replacement of the requirement for a restrictive covenant with a requirement for a County inspection prior to transfer of property and the permitting of any structural alteration or expansion of the elevated portion of the structure;
- o Inclusion of a new requirement that any County inspection be included as part of the closing documents upon transfer of property;

- o Inclusion of a new requirement prohibiting the enclosing of any downstairs enclosure of more than 299 square feet with opaque materials;
- o Revision of existing floodplain regulations to allow under specific conditions alterations, expansions and non-substantial structural improvements to elevated portion of residential structures with non-conforming downstairs enclosures;
- o Inclusion of request to be made to Monroe County Property Tax Appraiser to furnish County with updates on changes made to habitable space in downstairs enclosures.

Recommendation

The staff recommends approval of the resolution, which: amends Resolution #187-2002 and the Implementation Plan (Exhibit 1) for the Flood Insurance Inspection and Compliance Program; directs the County Administrator to send the approved resolution to Region IV Office of FEMA; and directs Growth Management Division in coordination with the County Attorney to prepare amendments to the floodplain regulations based on this revised implementation plan and to initiate this text amendment process through the Planning Commission.

RESOLUTION -2003

**A RESOLUTION AMENDING RESOLUTION NO. 187-2002 OF THE
BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY
APPROVING A REVISED IMPLEMENTATION PLAN FOR THE
FLOOD INSURANCE INSPECTION AND COMPLIANCE PROGRAM
FOR SUBMITTAL TO THE FEDERAL EMERGENCY MANAGEMENT
AGENCY**

WHEREAS, the Board of County Commissioners ("BOCC") adopted Resolution No. 187-2002 on April 17, 2002, approving a revised remedial plan for submittal to the Federal Emergency Management Administration (FEMA), called the "Implementation Plan for Monroe County Flood Insurance Inspection and Compliance Program" to meet one of the requirements identified in a letter from FEMA's Region IV Director, dated January 14, 2002; and,

WHEREAS, the revised "Implementation Plan for Monroe County Flood Insurance Inspection and Compliance Program" was subsequently approved by FEMA; and,

WHEREAS, as required in revised implementation plan, the County through the offices of State Representative Ken Sorenson, requested, but was unable to obtain any relief from the Florida Legislature to amend provisions of the Florida Statutes barring the County from directly bringing non-compliant downstairs enclosures with non-compliant improvements of more than four-years old into compliance; and,

WHEREAS, the Growth Management Division staff prepared draft amendments to the County's floodplain regulations in accordance with the implementation plan; and,

WHEREAS, significant legal and political concerns regarding the proposed amendments to the existing floodplain regulations were raised during the public hearing process, particularly requirements for the imposition of restrictive covenants to allow County compliance inspections; and,

WHEREAS, the Board of County Commissioners tabled the adoption of the proposed amendments and directed the County Growth Management Division staff in coordination with the Commission's FEMA Liaison and County Attorney to prepare an alternative approach that meets FEMA's concerns about the enforceability of the County's floodplain regulations; and,

WHEREAS, a County delegation headed by the Commission's FEMA Liaison met with FEMA Region IV officials on March 18, 2003, and received tentative approval from FEMA for the County's alternative proposal;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA that:

Section 1. The BOCC hereby amends Resolution No. 187-2002, by replacing Exhibit 1, "Implementation Plan for the Monroe County Flood Insurance Inspection and Compliance Program", with a new Exhibit 1 which is attached hereto.

Section 2. The County Administrator is directed to expeditiously transmit this Resolution and attached exhibit to the Region IV Office of FEMA.

Section 3. The Growth Management Division staff is directed to prepare new amendments to the County's floodplain regulations based on Exhibit 1 and re-initiate the process for consideration of these text amendments starting with the Planning Commission.

PASSED AND ADOPTED Board of County Commissioners of Monroe County at a regular meeting of said Board held on the 16th day of April, A.D., 2003.

Mayor Dixie Spehar _____
Mayor Pro Tem Murray Nelson _____
Commissioner Charles "Sonny" McCoy _____
Commissioner George Neugent _____
Commissioner David Rice _____

(SEAL)
ATTEST: Danny K. Kolhage, Clerk

BOARD OF COUNTY COMMISSIONERS OF
MONROE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Mayor/Chairman

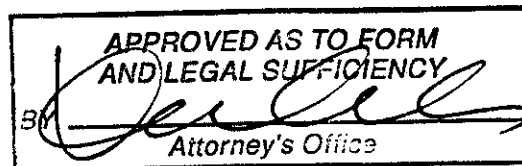


EXHIBIT 1
REVISED IMPLEMENTATION PLAN FOR
THE MONROE COUNTY
FLOOD INSURANCE INSPECTION AND
COMPLIANCE PROGRAM

Flood Insurance Inspection Program

- O** Prior to March 14, 2002, the Growth Management Division staff submitted a complete list of the names and addresses of owners (policy holders provided by FEMA) of all structures less than four years old that may contain possible violations of the County's floodplain regulations to the Federal Emergency Flood Insurance and Mitigation Division (FEMA/NFIP).
- O** In June, 2002, the County Growth Management Division staff began submitting monthly to FEMA/NFIP, the names and addresses of approximately-50 owners (policy holders) of structures with possible conflicts with violations of the County's floodplain regulations. The compiled lists are being sent to FEMA, starting with the newest structures working back through to the oldest structures.
- O** The County's Building and Code Enforcement staff is conducting inspections and implementing the Flood Insurance Inspection and Compliance Program as outlined in the Federal Register. [As of March 21, 2003, the County staff has conducted 54 inspections, identified 27 structures with code conflicts and brought 7 structures into compliance with the floodplain regulations.]
- O** As an element of the inspection program, the County staff is collecting and recording the amount and number of flood insurance claims submitted for each inspected structure to be supplemented by data produced from County required inspections and property tax records. [This information will be used for calibrating and updating the flood damage model and to assist underwriters in setting insurance rates for structures with downstairs enclosures.]

Florida Keys Flood Damage Model

At the County's request, FEMA had its engineering consultant complete an evaluation of the validity and accuracy of the existing Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) for Monroe County and found them to be technically valid and accurate. As more updated information becomes available from the County's Flood Insurance Inspection program, compliance inspections, and the property tax records, FEMA is requested to use this information in the recalculation of insurance risk assessments and rates.

Remediation of Non-conforming Structures Including Those Older than Four Years

- O** As agreed upon in its initial Implementation Plan for the Flood Insurance Inspection and Compliance Program, Monroe County through State Representative Ken Sorenson did attempt to seek legislative relief from the statute of limitations barring code enforcement prosecution of violations of the County's floodplain regulations more than four years old; however, the County was rebuffed by the Legislature's General Counsel and Director of Bill Drafting.

For the foreseeable future the statute of limitations is not going to be modified by an act of the Florida Legislature. As such, any structures with unpermitted improvements of more than four years old are considered by judicial ruling to be "defacto" non-conforming. Therefore, any efforts on the County's part to bring these non-conforming structures into compliance must be consistent with provisions of Section 95.11(3), Florida Statutes.

- O** The County's inspection program includes of all post-FIRM structures, even those structures with unpermitted improvements more than four-years old. The County Commission and its Growth Management Division staff believe that a significant percentage of structures with unpermitted, non-conforming below base flood elevation improvements will voluntarily come into compliance through this multi-year flood insurance inspection program.

As these structures with potential unpermitted improvements that conflict with the floodplain regulations are identified by the County staff through the flood insurance inspection program, the County will provide a list to FEMA of those structures. If the owners of these structures refuse the inspection, their insurance may not be renewed by their insurer.

The property owner of any structure inspected by the County that is determined to have an unpermitted improvement will have six months, if the violation is more than four years old, or two months, if the improvement is less than four years old, to obtain a permit to bring the structure into compliance. If the owner of a property with an identified conflict with the code chooses not to obtain the permit by the deadline established above, or obtains the permit but no approved final inspection occurs within 60 days after issuance of the permit, the County will pursue one of the following actions as applicable:

- 1) If the violation is less than four-years old, the County will expeditiously pursue code enforcement action and will formally submit a declaration for denial of the property owner's insurance to FEMA pursuant to Section 1316 of the National Flood Insurance Act if the structure is not brought into compliance.

- 2) If the violation is beyond the four-year statute of limitations, the County will submit a declaration for denial of the property owner's insurance to FEMA pursuant to Section 1316 of the National Flood Insurance Act.
- O In situations where an unpermitted improved downstairs enclosure is found to be occupied by a very low to moderate income household during the Flood Insurance Inspection and Compliance Program, the County will provide the opportunity for the property owner to apply for additional compliance time in accordance with the FEMA approved "Plan and Procedures for Allowing an Extension from Compliance Deadlines under the Monroe County Flood Insurance Inspection Program for Eligible Non-compliant Below Base Flood Enclosures Used for Affordable Housing" adopted by Board of County Commissioners' Resolution #397-2002.

Actions to Ensure No New Additional Non-conforming Structures

- O Although the County is currently limited by the four-year statute of limitations as to code enforcement action, the County through its County Growth Management Division will implement the following actions, consistent with the Florida Statutes, to ensure that any new conflicts with the floodplain regulations are resolved in a timely manner and do not become subject to the four-year statute of limitations barring code enforcement prosecution:
- 1) Amend the existing floodplain regulations and appropriate sections of the County Code to require that any residential structure having a downstairs enclosure with an opaque wall covering have a County compliance inspection prior to transfer of property or prior to the issuance of a building permit for any structural alteration or expansion of the elevated portion of the structure; and to provide that such inspections required prior to the transfer of can be conducted, at the discretion of the property owner, by either the County staff or a registered architect or professional engineer. [The requirement for an inspection prior to the transfer of property does not also require that the property be brought into compliance prior to transfer or, subsequent to transfer; however, if the unpermitted improvement is less than four years old, it may be subject to code enforcement action (see No.5). The sole intent of this inspection is to provide information for recording and monitoring improvements to downstairs enclosures subject to the County's floodplain regulations. This inspection is not intended to be used to identify or pre prosecute any other unpermitted improvements that are not subject to the floodplain regulations.]
 - 2) Amend the existing floodplain regulations to specifically require that the issuance of any permit to a downstairs enclosure, other than a demolition permit, be contingent upon bringing the downstairs enclosure into compliance with the floodplain regulations.

- 3) Amend the existing floodplain regulations to allow the expansion or structural alteration of the elevated portion of any residential structure non-conforming with the floodplain regulations contingent upon the following conditions as appropriate: a) the improvement is not substantial as defined under the floodplain regulations; b) a pre-permitting inspection is completed by the County to document the extent of the non-conformity; and, c), if within a "V" zone, the submittal of a professional engineer's or registered architect's sealed certification that the non-conforming improvements to the downstairs enclosure do not subject the elevated portion of the structure to increased structural damage.
- 4) Conduct required inspections of downstairs enclosures as stipulated in Actions #1-#3 above.
- 5) Continue to vigorously pursue code enforcement action for violation of the County floodplain regulations through code enforcement and the normal permitting process, including prosecution of owners of structures, where property tax records and/or evidence from inspections provide probable cause of a violation that is less than four years old.
- 6) Request that FEMA provide the County with a "Submit to Rate" for any applications for new flood insurance policies on previously uninsured properties with a possible violation, so that the County may pursue compliance under code enforcement proceedings, if the violation is less than four years old, or if older than four years, through a Section 1316 declaration.
- 7) Amend the existing floodplain regulations to only allow enclosing with opaque materials of downstairs enclosures of 299 square feet or less in area.
- 8) Request the Monroe County Appraiser to provide the County Growth Management Division with an annual update by residential property owner from the County property tax records of the changes in the habitable floor area of downstairs enclosures, if feasible and practical.
- 9) Identify and compile for Monroe County's flood insurance inspection and compliance program a list of all structures that fail to come into compliance and submit a quarterly progress report to FEMA beginning July, 2003.
- 10) Evaluate Monroe County's Flood Insurance Inspection and Compliance Program by June 2004, and if necessary, develop and implement further remedial actions with FEMA's approval, to ensure enforcement of the County's floodplain regulations.

The County Growth Management Division staff has the sufficient resources to implement the above program over a six year period.

EXHIBIT 1
REVISED IMPLEMENTATION PLAN FOR
THE MONROE COUNTY
FLOOD INSURANCE INSPECTION AND
COMPLIANCE PROGRAM

Flood Insurance Inspection Program

- O Prior to March 14, 2002, the Growth Management Division staff submitted a complete list of the names and addresses of owners (policy holders provided by FEMA) of all structures less than four years old that may contain possible violations of the County's floodplain regulations to the Federal Emergency Flood Insurance and Mitigation Division (FEMA/NFIP).
- O ~~Starting~~ In June, 2002, the County Growth Management Division staff will began submitting monthly to FEMA/NFIP, the names and addresses of approximately 50 owners (policy holders) of structures with possible conflicts with violations of the County's floodplain regulations. The compiled lists ~~to be compiled and are being~~ sent to FEMA, will starting with the newest structures working back through to the oldest structures.
- O ~~As the first requests for inspections from property owners come forward after notification by their insurance companies, the~~ County's Building and Code Enforcement staff will begin is conducting inspections and implementing the downstairs enclosure Flood Insurance Inspection and Compliance Program as outlined in the Federal Register. ~~[It is anticipated that actual inspections will not begin until October, 2002, which would mean that under the inspection program, the first group of unpermitted enclosures and improvements would not be brought into compliance until mid 2003.]~~ [As of March 21, 2003, the County staff has conducted 54 inspections, identified 27 structures with code conflicts and brought 7 structures into compliance with the floodplain regulations.]
- O ~~During~~ As an element of the inspection program, the County staff will is collecting and recording the amount and number of flood insurance claims submitted for each inspected structure to provide a data base for calibrating and updating any flood damage model be supplemented by data produced from County required inspections and property tax records. [This information will be used for calibrating and updating the flood damage model and to assist underwriters in setting insurance rates for structures with downstairs enclosures.]

Florida Keys Flood Damage Model

~~To assist Monroe County in its efforts to bring non-compliant buildings into compliance with its floodplain regulations, the Monroe County Commission is requesting that FEMA create or cause to create a Florida Keys flood damage model based on Florida~~

~~Keys topography, historical records, and actual flood damage sustained, post FIRM, by Florida Keys structures. It is anticipated that such a study could be completed in 2003, which would allow the County's floodplain compliance program to be modified, if approved by FEMA, based on the results of the damage model.~~

At the County's request, FEMA had its engineering consultant complete an evaluation of the validity and accuracy of the existing Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) for Monroe County and found them to be technically valid and accurate. As more updated information becomes available from the County's Flood Insurance Inspection program, compliance inspections, and the property tax records, FEMA is requested to use this information in the recalculation of insurance risk assessments and rates.

Remediation of ~~Non-compliant~~ Non-conforming Structures Including Those Older than Four Years

- O ~~The Board of County Commissioners will request its delegation to the Florida Legislature to address the four year statute of limitations on code enforcement prosecution of violations of the County's floodplain regulations. As agreed upon in its initial Implementation Plan for the Flood Insurance Inspection and Compliance Program, Monroe County through State Representative Ken Sorenson did attempt to seek legislative relief from the statute of limitations barring code enforcement prosecution of violations of the County's floodplain regulations more than four years old; however, the County was rebuffed by the Legislature's General Counsel and Director of Bill Drafting.~~

For the foreseeable future the statute of limitations is not going to be modified by an act of the Florida Legislature. As such, any structures with unpermitted improvements of more than four years old are considered by judicial ruling to be "defacto" non-conforming. Therefore, any efforts on the County's part to bring these non-conforming structures into compliance must be consistent with provisions of Section 95.11(3), Florida Statutes.

- O ~~The County's inspection program will include~~ includes ~~of~~ all ~~post-FIRM structures, including even those structures with unpermitted improvements more than four-years old identified as having a potential violation.~~ The County Commission and its Growth Management Division staff believe that a significant percentage of structures ~~more than four years old~~ with unpermitted, ~~non-compliant non-conforming~~ below base flood elevation improvements will voluntarily come into compliance through this multi-year flood insurance inspection program.

As these structures with potential unpermitted improvements that conflict with the floodplain regulations are identified by the County staff through the flood insurance inspection program, the County will provide a list to FEMA of those structures that may have a potential violation, and which will require an

~~inspection.~~ If the owners of these structures refuse the inspection, their insurance will may not be renewed by their insurer.

The property owner of any structure inspected by the County that is determined to have an ~~violation~~ unpermitted improvement will have six months, if the violation is more than four years old, or two months, if the ~~violation~~ improvement is less than four years old, to obtain a ~~demolition~~ permit to bring the structure into compliance. If the owner of a property with an identified ~~violation~~ conflict with the code chooses not to obtain the ~~demolition~~ permit by the deadline established above, or obtains the ~~demolition~~ permit but no approved final inspection occurs within 60 days after issuance of the ~~demolition~~ permit, the County will pursue one of the following actions as applicable:

- 1) If the violation is less than four-years old, the County will expeditiously pursue code enforcement action and will formally submit a declaration for denial of the property owner's insurance to FEMA pursuant to Section 1316 of the National Flood Insurance Act if the structure is not brought into compliance.
- 2) If the violation is beyond the four-year statute of limitations, the County will submit a declaration for denial of the property owner's insurance to FEMA pursuant to Section 1316 of the National Flood Insurance Act.

O In situations where an unpermitted improved downstairs enclosure is found to be occupied by a very low to moderate income household during the Flood Insurance Inspection and Compliance Program, the County will provide the opportunity for the property owner to apply for additional compliance time in accordance with the FEMA approved "Plan and Procedures for Allowing an Extension from Compliance Deadlines under the Monroe County Flood Insurance Inspection Program for Eligible Non-compliant Below Base Flood Enclosures Used for Affordable Housing" adopted by Board of County Commissioners' Resolution #397-2002.

Actions to Ensure No New Additional ~~Non-compliant~~ Non-conforming Structures

O Although the County is currently limited by the four-year statute of limitations as to code enforcement action, the County through its County Growth Management Division will implement the following actions, consistent with the Florida Statutes, to ensure that any new ~~violations~~ conflicts with the floodplain regulations are brought into timely compliance resolved in a timely manner and do not become subject to the four-year statute of limitations barring code enforcement prosecution:

- 1) Amend the existing floodplain regulations and appropriate sections of the County Code to require as a ~~condition of its building permit that any new dwelling with an opaque below base flood enclosure have a restrictive~~

~~covenant allowing the County to inspect the structure on a periodic basis to ensure compliance with County floodplain regulations. that any residential structure having a downstairs enclosure with an opaque wall covering have a County compliance inspection prior to transfer of property or prior to the issuance of a building permit for any structural alteration or expansion of the elevated portion of the structure; and to provide that such inspections required prior to the transfer of can be conducted, at the discretion of the property owner, by either the County staff or a registered architect or professional engineer. [The requirement for an inspection prior to the transfer of property does not also require that the property be brought into compliance prior to transfer or, subsequent to transfer; however, if the unpermitted improvement is less than four years old, it may be subject to code enforcement action (see No.5). The sole intent of this inspection is to provide information for recording and monitoring improvements to downstairs enclosures subject to the County's floodplain regulations. This inspection is not intended to be used to identify or pre prosecute any other unpermitted improvements that are not subject to the floodplain regulations.]~~[Amendments to the floodplain regulations will be in effect by no later than July, 2002.]

- 2) ~~Require any structure found to be non-compliant during the flood insurance inspection program or code enforcement action have a restrictive covenant similar as that required for new construction proposed in 1) above, if an opaque below base flood enclosure is to be retained as a permit condition to bring the structure into compliance. [This requirement will be implemented through the above amendments to the floodplain regulations.]~~Amend the existing floodplain regulations to specifically require that the issuance of any permit to a downstairs enclosure, other than a demolition permit, be contingent upon bringing the downstairs enclosure into compliance with the floodplain regulations.
- 3) ~~Conduct inspections of dwellings with restrictive covenants to ensure compliance with the County's floodplain regulations, upon receipt of evidence establishing probable cause of a violation, or a minimum of once every four years.~~Amend the existing floodplain regulations to allow the expansion or structural alteration of the elevated portion of any residential structure non-conforming with the floodplain regulations contingent upon the following conditions as appropriate: a) the improvement is not substantial as defined under the floodplain regulations; b) a pre-permitting inspection is completed by the County to document the extent of the non-conformity; and, c), if within a "V" zone, the submittal of a professional engineer's or registered architect's sealed certification that the non-conforming improvements to the downstairs enclosure do not subject the elevated portion of the structure to increased structural damage.

- 4) Conduct required inspections of downstairs enclosures as stipulated in Actions #1-#3 above.
- 4 5) Continue to vigorously pursue code enforcement action for violation of the County floodplain regulations through code enforcement and the normal permitting process, including prosecution of owners of structures ~~more than four years old~~, where property tax records and/or evidence from inspections site visits provide probable cause of a violation that is less than four years old.
- 5 6) Request that FEMA provide the County with a "Submit to Rate" for any applications for new flood insurance policies on previously uninsured properties with a possible violation, so that the County may pursue compliance under code enforcement proceedings, if the violation is less than four years old, or if older than four years, through a Section 1316 declaration.
- 7) Amend the existing floodplain regulations to only allow enclosing with opaque materials of downstairs enclosures of 299 square feet or less in area.
- ~~6 8) Prepare for FEMA's approval by no later than September 30, 2002, a plan and administrative procedures, as part of the County flood insurance inspection program, for providing additional time to come into compliance for those non-compliant structures with below base flood enclosures occupied by very low to moderate income households, as defined under the Monroe County Code. [This proposal recognizes the difficulty in finding suitable replacement housing for the County's most at risk population and would help mitigate the adverse impacts on these households and the County's affordable housing stock. Request the Monroe County Appraiser to provide the County Growth Management Division with an annual update by residential property owner from the County property tax records of the changes in the habitable floor area of downstairs enclosures, if feasible and practical.]~~
- 7 9) Identify and compile for Monroe County's flood insurance inspection and compliance program a list of all structures that fail to come into compliance and submit a quarterly progress report to FEMA beginning July, 2003.
- 8 10) Evaluate Monroe County's Flood Insurance Inspection and Compliance Program by June 2004, and if necessary, develop and implement further remedial actions with FEMA's approval, to ensure enforcement of the County's floodplain regulations.

STRIKE-THROUGH/UNDERLINE VERSION

The County Growth Management Division staff has the sufficient resources to implement the above program over a six year period.